

United States District Court for the District of Nevada

United States District Judge Miranda Du's Civil Standing Order

This Order establishes requirements and procedures for all civil cases assigned to Judge Du.

Filings

1. PDF Format

In accordance with Special Order 109 (III)(F)(1) counsel are directed to file documents in a searchable PDF format, with the exception of exhibits and/or attachments. While not required by the Local Rules, Judge Du appreciates receiving exhibits and/or attachments which have also been scanned and Optical Character Recognition (OCR) performed, making the exhibits and attachments searchable as well. Counsel is directed to refer to the above rule for further instruction.

2. Exhibits

To the extent practical, counsel should append exhibits to court filings separately in the Court's CM/ECF system. Exhibits should generally not be attached together as one file; rather, each exhibit should be appended separately.

Courtesy Copies

All courtesy copies of filings should be delivered to the Clerk's office.

Communications with the Court

All inquiries about pending matters before Judge Du should be directed to Judge Du's Courtroom Deputy, Peggy Vannozzi, by calling (702) 464-5429, or via email at Peggie_Vannozzi@nvd.uscourts.gov. Counsel and parties should refrain from contacting Judge Du's chambers directly.

Motion Practice – Prioritization of Motions

- Non-dispositive Motions: Non-dispositive motions will generally be referred to the Magistrate Judge assigned to the case.
- Dispositive Motions: Jurisdictional motions such as Motions to Remand and Motions for Lack of Personal or Subject Matter Jurisdiction will be addressed

before other motions in an effort to diminish the need for the parties to engage in unnecessary discovery.

- Motions are decided in the order in which they are filed, unless a particular motion requires a decision on an expedited basis.

Request for Extension

Extension requests must comply with LR 6-1(b) and must include the current deadline as well as the requested extension. In addition, immediately below the title of the stipulation or motion, there must be a statement identifying the total number of extensions sought to date, not just the number of extensions for a particular pleading or brief (i.e., whether the request is the first or second or third request sought in the case).

Request for Stay

When a request for stay is granted, any pending motions will automatically be DENIED without prejudice. When the stay is lifted, any party may move to reinstate the previously pending motions. Additional briefing is not required but is permissible.

Hearings or Oral Argument

Motion hearings will not be automatically scheduled. Requests for a hearing may simply be asserted on the front page directly under the title of the motion, response or reply: (Hearing Requested). However, motions will generally be resolved without a hearing if no just cause is presented.

Technology Policy

Cell phones, iPads, laptops and printers are allowed in the courtroom to assist attorneys to review their calendars for scheduling of future court hearings and to assist with presentation of evidence or argument during hearings or trial. Other devices which cause feedback or otherwise interfere with the court recording equipment may not be used at all.

Civil Trial Dates

Trial will be scheduled after conclusion of the settlement conference or submission of joint pre-trial order, to the extent no settlement is reached. While the Court will try to accommodate the dates provided by the parties in their Joint Status Report or Joint Pre-Trial Order, trial will be scheduled based on the first available trial stack on the Court's calendar.

Order Regarding Trial

Judge Du's standard Order Regarding Trial will be filed in every case as soon as it is scheduled for trial. Parties should direct questions about the ORT or questions about other trial related matters directly to Judge Du's Courtroom Deputy, Peggy Vannozzi, by calling (702) 464-5429, or via email at Peggie_Vannozzi@nvd.uscourts.gov.

Settlement & Pretrial Conferences

Generally, a case will be referred to the assigned Magistrate Judge for a settlement conference pursuant to Local Rule 16-5 after dispositive motions are fully briefed. In those cases, Judge Du will usually stay the ruling and provide the parties an opportunity to participate in the settlement conference before the dispositive motions are addressed. If no dispositive motions are filed, the case will generally be referred for a settlement conference as soon as the Joint Pretrial Order is filed. However, parties may file a written request for an early pretrial conference pursuant to Local Rule 16-2.

IT IS SO ORDERED.

DATED: December 18, 2012



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE